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7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**

9 **NIKKI GIAVASIS**, Individually, And) Case No. 2:16-cv-02284-R-AFM
10 On Behalf Of All Others Similarly)
11 Situated,) **JOINT STIPULATION OF**
12 Plaintiff,) **DISMISSAL OF ACTION WITH**
13 v.) **PREJUDICE AS TO THE NAMED**
14 **DENT-A-MED INC., dba HC**) **PLAINTIFF AND WITHOUT**
15 **PROCESSING CENTER; DOES 1-10)**) **PREJUDICE AS TO THE**
16 inclusive,) **PUTATIVE CLASS**
17 Defendant.)
18)

19 NOW COME THE PARTIES by and through their attorneys to respectfully
20 move this Honorable Court to dismiss this matter with prejudice as to the named
21 Plaintiff, and without prejudice as to the Putative Class alleged in the complaint,
22 pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). Each party shall bear
23 their own costs and attorney fees. A proposed order has been concurrently
24 submitted to this Court.

The notice and approval requirements of Federal Rule of Civil Procedure 23(e) are inapplicable to the parties' settlement and dismissal of this putative class action because this action has not been certified as a class.¹

The Parties agree that this Court can proceed to dismiss this Action entirely with prejudice as to the Named Plaintiff and without prejudice as to the Putative Class alleged in the complaint.

Respectfully submitted this 3rd day of January, 2017

By: s/Todd M. Friedman, Esq.
TODD M. FRIEDMAN
Attorney for Plaintiffs

By: s/Esteban Morales Fabilia, Esq.
ESTEBAL FABILA
Attorneys for Defendant

¹ Federal Rule of Civil Procedure 23(e) states “[t]he claims, issues or defenses of a certified class may be settled, voluntarily dismissed, or compromised only with the Court’s approval.

1 Filed electronically on this 3rd day of January, 2017, with:

2 United States District Court CM/ECF system

3 Notification sent electronically via the Court's ECF system to:

4
5 Honorable Manuel L. Real
6 United States District Court
7 Central District of California

8 Esteban Morales Fabila
9 Mintz Levin Cohn Ferris Glovsky and Popeo PC

10 Joshua M Briones
11 Mintz Levin Cohn Ferris Glovsky and Popeo PC

12 E Crystal Lopez
13 Mintz Levin Cohn Ferris Glovsky and Popeo PC

14
15 This 3rd day of January, 2017

16 s/Todd M. Friedman, Esq.
17 TODD M. FRIEDMAN